



OCT 24 2003

5404281721

PAGE 04

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Stop ISSUE FEE  
Commissioner for Patents  
Alexandria, Virginia 22313-1450  
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)  
7590 09/09/2003

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Luke A. Kilyk  
KILYK & BOWERSOX, P.L.L.C.  
53A Lee Street  
Warrenton, VA 20186

East

Certificate of Mailing or Transmission  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Kim Blum (Depositor's name)  
  
October 24, 2003 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,728	10/10/2001	Yuji Akishiba	3140-008	7823

TITLE OF INVENTION: NON-CONTACT TYPE PROFILE MEASURING APPARATUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$300	\$1600	12/09/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
ESPLIN, DAVID B	2851	356-638000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Kilyk & Bowersox,  
P.L.L.C.  
2. \_\_\_\_\_  
3. \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Keyence Corporation

Osaka, JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

Issue Fee  
 Publication Fee  
 Advance Order - # of Copies 5

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached. **any deficiencies**  
 The Director is hereby authorized to charge  ~~the required~~ fee(s), or credit any overpayment, to Deposit Account Number 50-0925 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) (Date)

Luke A. Kilyk

October 24, 2003

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

10/27/2003 AWONDAF2 00000037 09974728

01 FC:1501	1330.00	OP
02 FC:1504	300.00	OP
03 FC:8001	15.00	OP

TRANSMIT THIS FORM WITH FEE(S)



LAW OFFICES

# KILYK & BOWERSOX, P.L.L.C.

*Intellectual Property Law*

LUKE A. KILYK\* (PA, DC)  
 LEONARD D. BOWERSOX  
 THOMAS P. CLOUSE\* (DC)  
 ARASH BEHRAVESH\* (MA)  
 PETER G. KORYTNYK  
 GARTH D. RICHMOND\* (DC)  
 JASBIR SINGH

**53 A East Lee Street  
 WARRENTON, VA 20186**

FAIRFAX OFFICE  
 3603-E Chain Bridge Road  
 Fairfax, Virginia 22030

TEL.: (540) 428-1701  
 FAC.: (540) 428-1720  
 (540) 428-1721

Email: lkilyk@kbpatentlaw.com  
 Website: <http://www.kbpatentlaw.com>

**Of Counsel:**

WILLIAM CHARLES JAMISON  
 SAMUEL P. BURKHOLDER\* (PA, DC, NJ)

\*Admitted only in states indicated

**PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE  
FACSIMILE TRANSMISSION COVER SHEET**

**DATE:** October 24, 2003

**TO:** Mail Stop Issue Fee  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RE:** U.S. Patent Application No. 09/974,728  
 For: NON-CONTACT TYPE PROFILE MEASURING APPARATUS  
Our Ref: 3140-008

**FROM:** Luke A. Kilyk, Esq.

**FAC. TEL. NO.:** 1-703-746-4000

**NUMBER OF PAGES (INCLUDING THIS COVER SHEET):** 4

Items Attached: Credit Card Payment Form -- 1 page  
 Fee Transmittal -- 1 page  
 Issue Fee Transmittal -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-746-4000 on October 24, 2003.

Kim Blum  
 Name of Person Signing Certificate      Signature

**THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED.** This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

OCT 24 2003



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,645.00)

## Complete if Known

Application Number	09/974,728
Filing Date	October 10, 2001
First Named Inventor	AKISHIBA, Yuji
Examiner Name	ESPLIN, David B.
Art Unit	2851
Attorney Docket No.	3140-008

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None Deposit Account

Deposit Account Number	50-0925
Deposit Account Name	Kilyk & Bowersox, P.L.L.C.

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20**=	Extra Claims	Fee from below	=	Fee Paid
Independent Claims	-3***=	X		=	
Multiple Dependent		X		=	

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	**Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES	Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)			
1051 130	2051	65	Surcharge - late filing fee or oath	
1052 50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053	130	Non-English specification	
1812 2,520	1812	2,520	For filing a request for ex parte reexamination	
1804 920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251	55	Extension for reply within first month	
1252 420	2252	210	Extension for reply within second month	
1253 950	2253	475	Extension for reply within third month	
1254 1,480	2254	740	Extension for reply within fourth month	
1255 2,010	2255	1,005	Extension for reply within fifth month	
1401 330	2401	165	Notice of Appeal	
1402 330	2402	165	Filing a brief in support of an appeal	
1403 290	2403	145	Request for oral hearing	
1451 1,510	1451	1,510	Petition to Institute a public use proceeding	
1452 110	2452	55	Petition to revive - unavoidable	
1453 1,330	2453	665	Petition to revive - unintentional	
1501 1,330	2501	665	Utility issue fee (or reissue)	1,330.00
1502 480	2502	240	Design issue fee	
1503 640	2503	320	Plant issue fee	
1460 130	1460	130	Petitions to the Commissioner	
1807 50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806	180	Submission of Information Disclosure Stmt	
8021 40	8021	40	Recording each patent assignment per property (times number of properties)	
1809 770	2809	385	Filing & submission after final rejection (37 CFR 1.129(a))	
1810 770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801	385	Request for Continued Examination (RCE)	
1802 900	1802	900	Request for expedited examination of a design application	
Other fee (specify)		Publication Fee		300.00
Other fee (specify)		Copies of Patent (5)		15.00
SUBTOTAL (3) (\$)				(\$ 1,645.00)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY				
Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251	Telephone 1-540-428-1701
Signature			Date	October 24, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-746-4000 on October 24, 2003.

Kim Blum  
Name (Print)